

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JAMES JOSEPH JULUKE, JR.,
an individual,

Plaintiff,

V.

RETAIL SWC MALL LLC,
a Texas Limited Liability Company,

Defendant.

Case No.: 3:14-cv-03271-M

James Joseph Juluke, Jr., hereby declares as follows:

1. I am the Plaintiff in this action. I have retained counsel, Ku & Mussman, P.A., to represent me in the prosecution of this matter.
2. In 1994, I suffered an injury to my spinal cord resulting in trauma to my T-10 vertebrae. As a result, I am a paraplegic and use a wheelchair for mobility.
3. I last visited and shopped at the shopping center, generally located at 3662 W. Camp Wisdom Rd., Dallas, Texas ("Defendant's Property") owned by the Defendant on August 23, 2014.
4. During my August 23, 2014, visit to the Property, I encountered numerous barriers to access which required me to use extra caution maneuvering throughout the plaza and required that I avoid certain dangerous elements of the Property.
5. More specifically, the following:

a. I encountered inaccessible parking designated as accessible due to excessive slopes making it difficult to transfer between my wheelchair and vehicle safely, especially near Burlington Coat Factory, Macy's and Sears.

b. I encountered inaccessible parking due to low signage throughout the Property and in some instances parking spaces with narrow access aisles.

c. I encountered inaccessible curb ramps due to excessive slopes with steep side flares throughout the Property making it difficult to traverse the curb ramps safely; and

d. I encountered sidewalk routes throughout the Property with excessive slopes making it difficult to maneuver around the Property safely.

6. I intend to return to the Defendant's Property as both a patron of the stores located at the Property and to determine whether the barriers to access have been remedied.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the injunctive relief claimed is justly due to Plaintiff, that no part thereof has been performed, and that the relief sought in this action is necessary to bring the Defendant's Property into full compliance with the Americans with Disabilities Act.

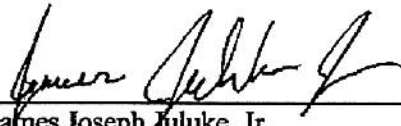
Dated: February __, 2015

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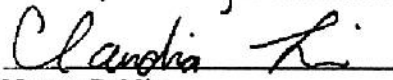
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State of Texas

County of Dallas


James Joseph Juluke, Jr.

Sworn to me before this 14
day of February, 2015.


Notary Public

Personally Known _____ OR Produced Identification ID.

Type of Identification Produced

TX DL.

